

AMENDED IN ASSEMBLY MAY 31, 2001

AMENDED IN ASSEMBLY APRIL 30, 2001

AMENDED IN ASSEMBLY APRIL 17, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 1414**

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**Introduced by Assembly Members Dickerson and Florez**

(Principal coauthor: Senator Oller)

(Coauthor: Assembly Member Aanestad)

February 23, 2001

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An act to add Section 1019 to the Fish and Game Code, to add Section 65040.7 to the Government Code, and to add Section 515 to the Public Resources Code, relating to public land, and making an appropriation therefor.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1414, as amended, Dickerson. Public lands.

(1) Existing law establishes the Department of Fish and Game and the Department of Parks and Recreation in the Resources Agency.

This bill would require those departments to prepare land management plans for all of their existing properties, which would describe their goals and strategies for managing the land and would identify and describe both ongoing and any necessary restoration, rehabilitation, and improvement projects for the land. The bill would require those departments to prepare and complete land management plans for all existing properties before they acquire additional property for the purpose of ecosystem restoration and wildlife habitat preservation. The bill would require these departments, *for land*

*acquired on or after January 1, 2002, to complete draft management plans for land acquired on or after January 1, 2002, ready for public review within 9 12 months of the recordation date. The bill would require those departments to report, on or before February 1 of each year, to the appropriate legislative budget subcommittees regarding the plans.*

(2) Existing law continuously appropriates money in the Fish and Game Preservation Fund to the Department of Fish and Game to carry out the Fish and Game Code. Because this bill would impose duties on the department, the bill would make an appropriation.

(3) Existing law establishes the Office of Planning and Research in the Governor's office to serve the Governor and his or her Cabinet as staff for long-range planning and research and to constitute the comprehensive state planning agency.

This bill would provide that the office is the coordinating agency for all state agencies, boards, and programs with authority either to acquire or fund the acquisition of land for ecosystem restoration and wildlife habitat preservation and would impose duties on the office in that regard.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) The Legislature finds and declares that the  
2 State Auditor determined the following in a report entitled  
3 "California's Wildlife Habitat and Ecosystem: The State Needs to  
4 Improve Its Land Acquisition Planning and Oversight":

5 (1) The two departments that are acquiring the most land for  
6 wildlife and habitat and ecosystem purposes have not performed  
7 key tasks for managing these properties. Specifically, the  
8 Department of Fish and Game and the Department of Parks and  
9 Recreation have not prepared management plans for at least  
10 one-third of their properties, use outdated management plans for  
11 many properties, inadequately manage some land because they  
12 have not achieved certain management objectives or undertaken  
13 specific projects, and insufficiently document their management  
14 efforts.

15 (2) The state needs to improve its land acquisition planning and  
16 oversight.



(3) These departments should prepare final plans for all of their properties and parks that describe goals and strategies for managing the land, update their older land management or general plans, perform restoration, rehabilitation, and improvement projects, as well as periodic inspections of all land, in accordance with their land management or general plans.

(b) It is the intent of the Legislature to encourage the use of cooperative agreements and easements to accomplish ecosystem restoration or habitat preservation goals on private land.

SEC. 2. It is the intent of the Legislature in enacting this act to ensure that the Department of Fish and Game and the Department of Parks and Recreation correct the deficiencies identified by the State Auditor described in Section 1 and to establish a uniform statewide process for acquiring lands with oversight by the Office of Planning and Research.

SEC. 3. Section 1019 is added to the Fish and Game Code, to read:

1019. (a) The department shall, wherever feasible, seek to achieve ecosystem restoration and habitat preservation goals through cooperative agreements or easements with the landowner.

(b) The department shall prepare land management plans for all of its properties, whether in existence on the effective date of the act adding this section, or acquired in the future. The land management plans shall describe the department's goals and strategies for managing the land and public access opportunities, such as hiking, hunting, fishing, camping, or environmental or historical education, in a manner that is compatible with the primary goal of the plan, and shall identify and describe both ongoing and any other necessary restoration, rehabilitation, and improvement projects and related costs.

(c) For land acquired on or after January 1, 2002, the department shall complete ~~management plans within nine draft~~ *management plans ready for public review within 12 months* of the recordation date. The department shall submit, on or before February 1 of each year, to the appropriate budget subcommittee of each house of the Legislature, a list of plans for lands acquired during the past year and a list of lands acquired during the last year for which plans are not yet complete. The subcommittee shall consider these lists in its budget decisions for the department.

1 SEC. 4. Section 65040.7 is added to the Government Code, to  
2 read:

3 65040.7. (a) The Office of Planning and Research is the  
4 coordinating agency under existing law for all state agencies,  
5 boards, and programs with authority either to acquire or fund the  
6 acquisition of land for ecosystem restoration and wildlife habitat  
7 preservation.

8 (b) To carry out the duties and responsibilities required by  
9 subdivision (a), the director shall do all of the following:

10 (1) On or before September 1, 2002, and each year thereafter,  
11 request that all state agencies or boards provide the office with  
12 information, including a description of the land and the purpose for  
13 which the land was acquired, of any acquisitions of land or funding  
14 that was directed to the acquisition of land, undertaken by the  
15 board or agency.

16 (2) On or before October 1, 2002, and each year thereafter,  
17 require that all state agencies or boards provide the office with  
18 information, including a description of the land, the purpose for  
19 which the land is to be acquired during the next fiscal year, the  
20 projected annual cost and funding source for the proposed  
21 acquisition, restoration, management, and monitoring of these  
22 lands.

23 (3) Review and evaluate any available information from  
24 federal agencies pertaining to their land acquisition activities to  
25 coordinate and better understand their impact on California state  
26 proposals.

27 (4) Compile the information provided in paragraphs (1) to (3),  
28 inclusive, and provide a report to the Governor and the Legislature  
29 on or before December 31, 2002, and each year thereafter, that  
30 does all of the following:

31 (A) Describes the amount of land acquired by each state agency  
32 or board during the past year and the amount of money spent for  
33 the acquisition.

34 (B) Projects the amount of land that will be acquired by each  
35 agency or board during the following year.

36 (C) Determines whether the acquisitions described in  
37 subparagraphs (A) and (B) are consistent with the current  
38 comprehensive state environmental goals and policy report  
39 prepared pursuant to Section 65041.

(5) Provide the report described in paragraph (4) to the Secretary of Food and Agriculture, the Secretary of the Resources Agency, and the Director of Conservation.

(6) Establish a representative public process to ensure that local, state, and federal agencies, water suppliers, landowners, and other interested parties are given notice of proposed land acquisitions throughout the state.

(7) *Develop strategies with local, state, and federal agencies so that a revenue stream is established to ensure management plans are adequately funded for all new acquisitions.*

SEC. 5. Section 515 is added to the Public Resources Code, to read:

515. (a) The department shall prepare land management plans for all of its properties, whether in existence on the effective date of the act adding this section, or acquired in the future. The land management plans shall describe the department's goals and strategies for managing the land and public access opportunities in a manner that is compatible with the primary goal of the plan, and shall identify and describe both ongoing and any other necessary restoration, rehabilitation, and improvement projects and related costs.

(b) For land acquired on or after January 1, 2002, the department shall complete ~~management plans within nine draft~~ *management plans ready for public review within 12 months* of the recordation date. The department shall submit, on or before February 1 of each year, to the appropriate budget subcommittee of each house of the Legislature, a list of plans for lands acquired during the past year and a list of lands acquired during the last year for which plans are not yet complete. The subcommittee shall consider these lists in its budget decisions for the department.